

REMARKS

Claims 12 and 22-27 are pending in this application. By this Amendment, claims 11 and 14-21 are canceled.

Entry of the amendments is proper under 37 CFR §1.116 because the amendments: (a) place the application in condition for allowance (for the reasons discussed herein); (b) do not raise any new issue requiring further search and/or consideration (as the amendments amplify issues previously discussed throughout prosecution); (c) satisfy a requirement of form asserted in the previous Office Action; (d) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (e) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

In view of the foregoing amendments and the following remarks, reconsideration and allowance are respectfully requested.

II. Allowable Subject Matter

Applicant thanks the Examiner for the indication that claims 12 and 22-27 are allowed.

III. Rejection under 35 U.S.C. §112, Second Paragraph

The Office Action rejects claim 21 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly out and distinctly claim the subject matter which Applicant regards as the invention. By this Amendment, claim 21 is canceled, rendering its rejection moot. Accordingly, withdrawal of the rejection of the rejection is respectfully requested.

IV. Rejection under 35 U.S.C. §103

The Office Action rejects claims 11, 14 and 19-20 under 35 U.S.C. §103(a) over U.S. Patent No. 6,541,087 to Pophusen et al. (hereinafter "Pophusen") in view of U.S. Patent No. 5,324,572 to Kuechler et al. (hereinafter "Kuechler"); rejects claim 17 under 35 U.S.C. §103(a) over Pophusen in view of Kuechler and further in view of U.S. Patent No. 6,177,159 to Tajiri et al.; and rejects claim 18 under 35 U.S.C. §103(a) over Pophusen in view of Kuechler and further in view of U.S. Patent No. 5,595,623 to Lulham et al..

By this Amendment, claims 11, 14 and 17-20 are canceled, rendering their rejection moot. Accordingly, withdrawal of the rejections is respectfully requested.

V. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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